

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

SEDILLO ELECTRIC and
TELESFOR SEDILLO,

Plaintiffs,

v.

CV 15-1172 RB/WPL

COLORADO CASUALTY INSURANCE COMPANY,
LIBERTY MUTUAL INSURANCE COMPANY,
PEERLESS INSURANCE COMPANY, and
BAKER INSURANCE SERVICES, L.L.C.,

Defendants.

ORDER TO SHOW CAUSE

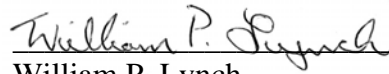
This matter is before me *sua sponte*. As noted in my Order on Motions That Relate to Discovery (Doc. 251), it appears that Plaintiffs' counsel, Eric Sedillo Jeffries, may have violated Federal Rule of Civil Procedure 11 and the New Mexico Rules of Professional Conduct. Upon review of the filings, it appears that Mr. Jeffries may have violated the rule requiring candor to the tribunal. *See* NMRA, Rule 16-303 (incorporated by D.N.M.LR-Civ. 83.9). Specifically, I am concerned that Mr. Jeffries "knowingly [made] a false statement of fact . . . to a tribunal or fail[ed] to correct a false statement of material fact . . . previously made to the tribunal by the lawyer." Additionally, I am concerned that Mr. Jeffries may have violated Federal Rule of Civil Procedure 11(b)(3), which requires that factual contentions made in any filing "have evidentiary support," and requires counsel to certify the same.

Rule 11(c) provides for sanctions if a court determines, after notice and reasonable opportunity to respond, that Rule 11(b) has been violated. Sanctions may include monetary

sanctions to the court or opposing counsel or both, civil contempt, referral to the State Bar of New Mexico for disciplinary proceedings, and additional proceedings as necessary.

Accordingly, Plaintiffs' counsel, Eric Sedillo Jeffries, is hereby ordered to show cause why I should not impose monetary sanctions, Rule 11 sanctions, hold him in civil contempt, report him to the State Bar of New Mexico, require him to pay opposing counsel's attorney's fees, or initiate additional appropriate proceedings. Mr. Jeffries shall appear in person on **April 13, 2017, at 8:30 a.m.** in the **Hondo Courtroom of the Pete V. Domenici United States Courthouse, 333 Lomas Blvd. N.W., Albuquerque, New Mexico.** Plaintiff need not attend, but Mr. Jeffries may appear with the representation of counsel if he so chooses. Defense counsel may appear telephonically at this hearing or may appear in person. Defense counsel shall call the "Meet Me" line at **505-348-2356** to be connected to the proceeding if counsel intends to appear telephonically.

It is so ordered.



William P. Lynch
United States Magistrate Judge